

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEBRASKA

UNITED STATES OF AMERICA,

Plaintiff,

vs.

HELEN NGUYEN and  
JAMES LAU,

Defendants.

**8:22–CR–136**

**PRELIMINARY ORDER OF  
FORFEITURE**

This matter is before the Court upon the Government’s Motion for Preliminary Order of Forfeiture. [Filing 75](#). The Court reviews the record in this case and, being duly advised in the premises, finds as follows:

1. On August 18, 2023, the Court held a change of plea hearing and defendant, James Lau, entered a plea of guilty to Count I and admitted to the Forfeiture Allegation of the Superseding Indictment. [Filing 63](#); [Filing 74](#).

2. On September 6, 2023, the Court held a change of plea hearing and defendant, Helen Nguyen, entered a plea of guilty to Count I and admitted to the Forfeiture Allegation of the Superseding Indictment. [Filing 72](#); [Filing 73](#).

3. Count I charged defendants with conspiracy to distribute and possession with intent to distribute methamphetamine, in violation of [21 U.S.C. §§ 841\(a\)\(1\) and 841\(b\)\(1\)](#) and 846.

4. The Forfeiture Allegation sought the forfeiture of \$6,600.00, \$30,940.00 and \$1,992.00 in United States currency seized on or about June 8, 2022, on the basis that it was used to facilitate the offense, and/or that the currency was derived from proceeds

obtained directly or indirectly as a result of the commission of the offense. [Filing 34 at 2](#). However, the Government notes in its Motion that the Drug Enforcement Agency administratively forfeited \$20,000.00 of the \$30,940.00, and, therefore, the Government dismisses the \$20,000.00 that has been administratively forfeited. [Filing 75](#) at 2.

5. By virtue of said pleas of guilty, defendants have forfeited their interest in the subject currency. Accordingly, the United States should be entitled to possession of said currency pursuant to 21 U.S.C. § 853.

6. The Government's Motion for Preliminary Order of Forfeiture should be granted.

IT IS ORDERED:

1. The Government's Motion for Preliminary Order of Forfeiture, [Filing 75](#), is granted;

2. Based upon the Forfeiture Allegation of the Superseding Indictment and the pleas of guilty, the Government is hereby authorized to seize the \$6,600.00, \$10,940.00 and \$1,992.00 in United States currency;

3. Defendants' interests in the \$6,600.00, \$10,940.00 and \$1,992.00 in United States currency is hereby forfeited to the Government for disposition in accordance with the law, subject to the provisions of 21 U.S.C. § 853(n)(1);

4. The \$6,600.00, \$10,940.00 and \$1,992.00 in United States currency is to be held by the Government in its secure custody and control;

5. Pursuant to 21 U.S.C. § 853(n)(1), the Government shall publish for at least thirty consecutive days on an official internet Government forfeiture site, [www.forfeiture.gov](http://www.forfeiture.gov).,

notice of this Preliminary Order of Forfeiture, notice of publication evidencing the Government's intent to dispose of the property in such manner as the Attorney General may direct, and notice that any person, other than the defendant, having or claiming a legal interest in any of the subject property must file a Petition with the Court within thirty days of the final publication of notice or of receipt of actual notice, whichever is earlier;

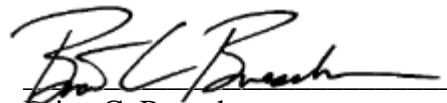
6. The published notice shall state the Petition referred to in Paragraph 5, above, shall be for a hearing to adjudicate the validity of the Petitioner's interest in the \$6,600.00, \$10,940.00 and \$1,992.00 in United States currency, shall be signed by the Petitioner under penalty of perjury, and shall set forth the nature and extent of the Petitioner's right, title, or interest in the \$6,600.00, \$10,940.00 and \$1,992.00 in United States currency and any additional facts supporting the Petitioner's claim and the relief sought;

7. The Government may also, to the extent practicable, provide direct written notice to any person known to have an interest in the \$6,600.00, \$10,940.00 and \$1,992.00 in United States currency as a substitute for published notice as to those persons so notified;

8. Upon adjudication of all third-party interests, this Court will enter a Final Order of Forfeiture pursuant to [21 U.S.C. § 853\(n\)](#), in which all interests will be addressed.

Dated this 3rd day of October, 2023.

BY THE COURT:

  
Brian C. Buescher  
United States District Judge